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RUEHNE/AMEMBASSY NEW DELHI 1646
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C O N F I D E N T I A L SECTION 01 OF 03 DUSHANBE 001425

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SUBJECT: NDI NOT GETTING THE ANSWERS THEY WANT FROM TAJIK GOVERNMENT

REF: Dushanbe 804

CLASSIFIED BY: Richard Hoagland, Ambassador, U.S. Embassy,
Dushanbe, State.

REASON: 1.4 (a), (c)

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11. (C) SUMMARY: In meetings with Foreign Minister Talbak Nazarov and Deputy Minister of Justice Sharipova, National Democratic Institute (NDI) representatives pressed the Tajik government to register the organization and issue a visa for an American staff member to manage the Dushanbe office. In both meetings July 17, NDI Director Laura Jewett and NDI board member (and retired Connecticut Congressman) Sam Gejdenson heard elusive responses and received no clear indication that NDI was welcome to operate in Tajikistan. With NDI activities effectively frozen since April and with no new assurances on registration or a visa for American staff, Gejdenson and Jewett are cobbling together a plan to keep the door open. Even this scaled back presence will require significant continued support from the Embassy. END SUMMARY.

FOREIGN MINISTER SUGGESTS BIDDING TIME

12. (C) Foreign Minister Nazarov suggested that NDI wait to attempt to register with the Ministry of Justice until after a new law on public associations and non governmental organizations was enacted, possibly at the end of the year. Acknowledging that it is indeed illegal to function without registration, he referred to the unofficial arrangement brokered by the Embassy which allowed NDI to conduct its trainings of political parties even while it remained unregistered. Now, however, it is impossible to return to the unofficial status quo. Nazarov confided that in government meetings on NDI, he had been the lone voice advocating allowing the organization to work in Tajikistan while its status remained unresolved.

¶3. (C) Gejdenson emphasized that NDI was a transparent organization whose aim was to help Tajikistan create a "free and open society," and quoted Jefferson, stating the price of freedom was vigilance. He explained that NDI wanted to bring "a technical person" to lead the office through the registration process, but that individual would need a visa. Nazarov made no pledge the MFA would issue a visa, even when Jewett repeated the request later.

¶4. (C) Nazarov noted the April incident, where Acting NDI director Nurul Rakhembekov, a Kazakh national, was caught in a sex scandal and quickly deported (reftel), was "very unpleasant" for the Tajik government, particularly since it took place a week before President Rahmonov's state visit to Kazakhstan. (COMMENT: Nazarov was most likely speaking from the Foreign Ministry's perspective. We are certain that the Ministry of Security set up the episode. END COMMENT.)

¶5. (C) Jewett reported the Ministry of Security had repeatedly questioned NDI's local staff, and they were concerned about the physical security of their employees. Nazarov promised to speak to the Minister of Security and assured the NDI representatives that no harm would come to their local staff.

¶6. (C) Nazarov alluded to the events in Andijon and Kyrgyzstan, saying "Tajikistan is still living through the effects." Gejdenson asked whether Russia tried to dictate its terms to Tajikistan. "We balance our relations," replied the foreign minister diplomatically.

NO FURTHER ADVICE FROM MINISTRY OF JUSTICE

¶7. (C) Gejdenson opened the conversation with First Deputy Minister Ghulchera Sharipova by stating, "I want to register NDI

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under the old law and then again under the new law. There is no reason not to register this transparent organization. Madeline Albright will be calling the foreign minister to request a visa for an American director to come and manage the office." He suggested the new NGO law would be restrictive and modeled on a similar Russian law, and then stated, "It's not good for you if NDI leaves this country."

¶8. (C) Sharipova carefully avoided giving any specific explanation by stating, "You'll need to talk to my colleagues about that. I do not deal with registration issues." (NOTE: As First Deputy Minister, Sharipova can and has involved herself in NGO issues and is well briefed on the registration problems. END NOTE.) She noted that NDI was refused registration because it "presented its documents" incorrectly, and no new registrations would be granted until after the new law was passed. When? "I cannot speak for parliament," she said. When pressed for more specific advice, she demurred. "I do not know anything about this case." She seemed surprised to hear Nazarov had recommended that NDI wait until the end of the year to try to reregister. Taking another tack, she remarked, "(The U.S.-funded NGO) ABA Ceeli had problems registering, but they worked closely with the Ministry and resolved the issue."

NO FURTHER MEETINGS

¶9. (C) Despite repeated requests, the Embassy was unable to arrange meetings with the Presidential Administration and the Ministry of Security. The Presidential Administration told an Embassy staff member, "(Presidential Advisor Erkin) Rakmatulloyev has spoken with the Ambassador on this issue and there is nothing new to say." Sharipova's colleague, Deputy Minister of Justice Mengliev, would not consider a meeting until permission came from the MFA, which more than 48 hours later had failed to pass the diplomatic note to the Ministry of Justice.

¶10. (C) Since the departure of NDI Acting Director Nurul Rakhembekov in April, NDI has ceased all training programs, even with the president's ruling political party. Several staff

members have quit, including the interpreter. The lack of registration makes it impossible for NDI to do something as simple as issue a Letter of Invitation for technical trainers, or register visitors, such as Jewett and Gejdenson, who had to be registered as "tourists" visiting local staff.

FINDING A WAY FORWARD

¶11. (C) The NDI delegation came to Dushanbe with plans to obtain a work visa for an American staff member and move forward on registration. Jewett admitted, "We came up with nothing." Gejdenson and Jewett were reluctant to give up, however, finding inspiration in their remaining local staff's commitment to the program despite fear of harassment from Tajik authorities. They also spoke with beneficiaries of NDI training, including officials of President Rahmonov's own party, whose appreciation for NDI's work, Gejdenson believes, was genuine.

¶12. (C) Gejdenson and Jewett considered seriously whether this was enough to keep NDI's doors open in Tajikistan. Gejdenson ruled out total closure of the office, uncertain they would manage to get back in after the elections and after the adoption of the new NGO law. More seriously, he was afraid of setting a precedent by letting a host government squeeze out NDI. Gejdenson and Jewett did, however, seriously consider the possibility of formally and publicly suspending NDI activities. The Ambassador explained the potential benefits of such a move, which would give NDI the upper hand in determining its own fate and obtain some benefit from what is already a de facto suspension. Hours before leaving Dushanbe, Gejdenson and Jewett still were not sure how far down this path they would go.

¶13. (C) In the meantime, NDI plans to continue to seek a visa for an American citizen director. Gejdenson is confident he can get former Secretary Albright to write a letter to FM Nazarov requesting a visa, and equally confident he can find "an

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American of some heft" such as former congressman Tom Andrews to volunteer to come to Dushanbe as a temporary director until after the Tajik elections, adoption of the new NGO law, and eventual registration of NDI. NDI is well aware of the problem of sending an American to work here on a Tajik tourist visa and will seek proper status for him. The Embassy advised NDI that absent full registration, a work visa is highly unlikely. However, if the visa would be forthcoming, the interim American director would focus on pursuing NDI's registration and implementing a scaled-down program of activities, avoiding activities that might trigger backlash from government authorities before the elections. Gejdenson admitted that the purpose of such activities would be to keep the door open until a full NDI program could resume.

¶14. (C) COMMENT: The case of NDI makes the Tajiks very uncomfortable, and the government has found it easier to refuse to discuss the issue than to give a clear "no." Gejdenson and Jewett appear understandably frustrated by the vague responses, yet eager to persevere. They are clearly still sorting out their options, including suspending or scaling back activities. Despite previous pledges to the Ambassador, nothing suggests the Tajik government will actually issue a visa for an American office director to manage the office. Without registration and strong management, NDI will continue to have a presence in Tajikistan in name only. END COMMENT.
HOAGLAND